

**ASSEMBLY BILL**

**No. 994**

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**Introduced by Assembly Member Fong**

February 27, 2009

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An act to amend Section 905.1 of the Government Code, relating to government liability.

LEGISLATIVE COUNSEL'S DIGEST

AB 994, as introduced, Fong. Government tort claims: inverse condemnation.

Existing law bars a suit for money or damages against a public entity on a cause of action for which a claim is required to be presented, until a written claim therefor has been presented to the public entity and acted upon by the Victim Compensation and Government Claims Board, the governing body of a local public entity, or the judicial council, as applicable, or has been deemed to have been rejected, except as specified. No claim is required to be filed to maintain an action against a public entity for the taking of, or damage to, private property pursuant to eminent domain.

This bill would make technical, nonsubstantive changes to the latter provision.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 905.1 of the Government Code is  
2     amended to read:

1     905.1. No claim is required to be filed to maintain an action  
2 against a public entity for *the* taking of, or damage to, private  
3 property pursuant to Section 19 of Article I of the California  
4 Constitution.

5     However, the board shall, in accordance with the provisions of  
6 this part, process any claim~~which~~ *that* is filed against a public  
7 entity for the taking of, or damage to, private property pursuant to  
8 Section 19 of Article I of the California Constitution.